

NOTIFICATION OF COURT ORDER

On May 4, 2020, an Order was issued in *The People of the State of California vs. Leng T. Ky*, Superior Court of California, County of San Diego, Case No. CN412508 by Robert J. Kearney, Judge Presiding. Under the Order, as a condition of bail, effective October 14, 2020, LENG THAI KY, M.D. (Physician's and Surgeon's Certificate Number A 104049) is not to practice medicine pending the outcome of the case. A copy of the Order is attached.

☐ Central Division ☐ East County Division☒ North County Division☐ South County Division Waivers: ☐ Time ☐ 4th

PEOPLE vs. KY, LENG T.

STATUS: GUST \$ 5,000,000

☐ BB ☐ CB (Y/N)

CASE # CN412508

PROS. #

BKG # 20917479

CTS: 37 days 36 hrs.

DATE: 05-04-20

AT 09:00

DEPT. # 14

INTERP:

☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/COMMITTEE/JUDGE: ROBERT J. KEARNEY

☐ STIP. FILED REPORTER:

CLERK: D. Galyana

CSR # / COUNTER #:

Peggy Hies

CSR# 7908

CHARGE(S): 1) PC289(d) 2) PC289(e) 3) PC287(f) 4) PC287(i) 5) PC222 6) PC243.4(a) 7) PC243.4(a)

FUTURE DATES:

☐ CONFIRMED ☐ VACATEDAttorney for the People (DDA/DCA/DAG) ☐ Supervised Cert. Legal InternAttorney for Defendant (PD/APD/OAC/Retained Counseling) ☐ Supervised Cert. Legal InternDEFENDANT: ☐ PRESENT ☒ VIA AUDIO VIDEO ☒ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEARCase called for ☐ FTA ☒ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion☐ DEJ ☐ Full ☐ Limited Protective Order Expires: Protected Party: ☐ Warrant Ordered/Issued on ☐ Held to today ☐ Cleared ☐ Outstanding ☐ Bail Bond # \$ forfeited.

CASE TRANSFERRED TO DEPT. TIME ESTIMATE:

Complaint amended ☐ by interlineation to read: ☐ Amended ☐ Amendment to ☒ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f) as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:☒ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.☒ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.☒ Acknowledgment of advisal of constitutional rights signed and filed. ☒ Defendant has received copy of complaint.☒ Defendant waives reading of complaint. ☒ Def. states true name is on complaint (line)☒ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged on amended complaint.☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977☐ bail review ☐ jury trial ☐ preliminary hearingCOUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned CounselAtty: ☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Re-appointed ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: ☐ VC23152(a) / (b)☐ Admits separate conviction(s) alleged/ allegation(s)☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of☐ On motion of Court/People/Defendant remaining count(s) is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP☐ Plea form executed and filed ☐ People vs. West ☐ BAC:☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.☐ ADVISALS given by the court: ☐ Theft - PC666 ☐ DUI - VC23593 ☐ Consequences of Conviction - PC1016.5☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).MOTION for Lower Bail by People ☒ Defendant ☒ with ☐ without objection ☐ GRANTED ☒ DENIED.PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) for mo./yrs. ☐ New term☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by Comply with all directions of Assessor.☐ \$ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ For☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously en☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for seiREFERRALS Report ☐ forthwith ☐ by to☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Al☐ Pre-sentence report waived. ☐ Court Collections ☐ for payment of attor

* The court finds that the defendant has the ability to repay the County of San Diego for

The defendant ☒ does ☐ does not consent to a closed remote hearing via videoconference for today's hearing only.HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVEDDEFENDANT IS ORDERED TO APPEAR for ☐ on at in Dept.☐ Re: Attorney at in Dept. ☐ Motion/PC1538.5 at in Dept.☐ Arraignment at in Dept. ☐ Jury / Court Trial at in Dept.☐ Bail Review at in Dept. ☐ Sentencing at in Dept.☒ Readiness/DWT at 8:30 in Dept. 6 ☐ Prob. Hrg. & Sent at in Dept.☒ Prelim Exam at 8:45 in Dept. 5 ☐ DEJ ☐ Drug Ct at in Dept.

Time Estimate: hr/day Days remaining: Set with case(s):

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on at by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on at in Dept. of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.☐ Book & Release - Report on at to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

A unreported chambers conf. was held. Media request is filed & no objection by either party. The request is granted. No media is present however. The Court orders that if the defendant makes bail - he is not to practice medicine pending the outcome of case.

CUSTODY STATUS Defendant ☒ REMAIND to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ 5,000,000☐ PC1275.1 HOLD.☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions☐ same terms and conditions ☐ to an authorized representative of: on at☐ Release Conditions: ☐ Attend self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration ofdeferred entry of judgment. ☐ Have no contact with / stay away from: ☐ Protective Order issued.☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ ☐ No Bail. ☐ Counsel reports no contact with defendant.☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ ISSUED ON:☐ HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON:

Affidavit requested. Due by:

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ within 30 days ☐ cost waived☐ Bond #: Bond \$ Bond Co.

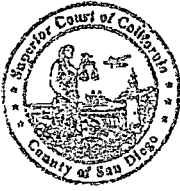
Date:

ATTEST A TRUE COPY, Clerk of the Superior Court by

Deputy

Distribution by: 102 on 5/4/20 to: Jail

Def. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other:



CLERK'S CERTIFICATE

The foregoing document, consisting of 1 page/s, is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

11-9-20 Date Clerk of the Superior Court
Deputy

☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division

PEOPLE vs. KY LENC STATUS: BAIL \$5,000.00 ☒ 8B ☐ CB (Y/N)
 ASE # CN412508 PROS. # OCN99801 BKG # 20917479 CTS: 143RD DAY
 ATE: 10-14-20 AT 08:30 DEPT. # 005 INTERP: ☐ Spanish ☐ Sworn ☐ Oath on File
 JUDGE/CLERK/TEMP JUDGE: JAMES E. SIMMONS JR. ☐ STIP. FILED REPORTER: Laura Bollschweiler, CSR 10500
 LERK: R. Mallory MICHAEL D. WASHINGTON CSR # / COUNTER #:

CHARGE(S): 1. PC289(D) 2.9 PC289(E) 3.8 PC289(F) 4.8 PC289(I)
5.11.14 PC222 6.7.10.13 PC243.4(A) HERE: 143RD DAY
 FUTURE DATES: PE 10-27-20 ☐ CONFIRMED ☒ VACATED

M. HARKNESS 14-10 50
 Attorney for the People (DDA/DCA/DAG) ☐ Supervised Cert. Legal Intern
 Attorney for Defendant (PD/APD/OAC) Retained / Counseling ☐ Supervised Cert. Legal Intern

DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☒ NOT PRESENT ☐ NO PROSECUTION ☐ FAILED TO APPEAR
 Case called for ☐ FTA ☐ Arraignment ☐ Bail Review ☒ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion
☐ PC1000 ☐ Full ☐ Limited Protective Order Expires: Protected Party:
☐ Warrant Ordered/Issued on ☐ Held to today ☐ Cleared ☐ Outstanding. ☐ Bail Bond # \$ forfeited.

CASE TRANSFERRED TO DEPT. TIME ESTIMATE:
 Complaint amended ☐ by interlineation to read:
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103(a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:

Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.
 Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.
 Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.
 Defendant waives reading of complaint. ☐ Def. states true name is ☐ on complaint (line)
 DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.
 Defendant WAIVES: ☐ time for speedy trial ☒ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel
☐ Re-appointed ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.
 Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: ☐ VC23152(a) / (b)

Admits ☐ separate conviction(s) alleged/
 Charges contained in amended/amendment to complaint. ☐ VC23103(a) ☐ per 23103.5 ☐ as a lesser included/related offense of
 On motion of Court/People/Defendant remaining count(s) is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP
 Plea form executed and filed ☐ People vs. West ☐ BAC:
 Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.
 ADVISALS given by the court: ☐ Theft (PC666) ☐ DUI (VC23593) ☐ Immigration consequences (PC1016.5)
 WAIVERS: ☐ Arbutuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.
 PC1210 ☐ Drug Court ☐ accepted ☐ declined.
 Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.
 Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for ☐ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for PC1000 ☐ granted as to count(s) and criminal proceedings suspended for months ☐ denied.

Enroll in and successfully complete the diversion program, including payment of fees and compliance with all orders.

Enroll in ☐ county certified program ☐ S.D. Rescue Mission Program ☐ Other Enroll by

Pay \$ div. rest. fee (PC1001.90). Pay \$ div. admin fee (PC1001.15, 1001.16). Total due \$

Payment due: ☐ Payments set at \$ per month starting and on the of each month thereafter until paid in full.

Report immediately to clerk/SAAU for program assignment/enroll-by date/payment date(s). ☐ Def. motion to re-enroll granted - enroll by

Defendant has satisfactorily COMPLETED the PC1000 Program. ☐ Previously entered plea to count(s) set aside ☐ count(s) dismissed.

Defendant has FAILED to satisfactorily complete the PC1000 Program. ☐ PC1000 terminated and criminal proceedings reinstated.

Unpaid diversion fees set aside. ☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

DEFENDANT'S REPORT ☐ immediately ☐ by to ☐ SAAU ☐ Probation Department ☐ Probation to interview.

Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.

Pre-sentence report waived. ☐ Court Collections ☐ for payment of attorney fees ** \$ Indigent as to attorney fees.

The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☒ Unopposed ☐ By Stipulation, ☒ Statutory time is WAIVED

DEFENDANT IS ORDERED TO APPEAR for ☐ on at in Dept.

Re: Attorney at in Dept. ☐ Motion/PC1538.5 at in Dept.

Arraignment at in Dept. ☐ Jury / Court Trial at in Dept.

Bail Review at in Dept. ☐ Sentencing at in Dept.

Readiness/DWT 1-27-2021 at 8:30 in Dept. 10 ☐ Prob. Hrg. & Sent at in Dept.

Prelim Exam 2-25-2021 at 8:45 in Dept. 5 ☐ PC1000/Drug Ct at in Dept.

Time Estimate: hr/day Days remaining: Set with case(s):

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on at by Forensic

Psychiatry Clinic. Females - Central Division, Hall of Justice, Room 481; Males - Central Detention Facility. Hearing on at in

Dept. of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.

☐ Book & Release - Report on at to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$

PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR ☐ Refer to CPAC.

REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted ☐ after booking ☐ PC1000 ☐ OR ☐ SUPERVISED OR-comply with PTS conditions

Same terms and conditions ☐ to an authorized representative of: on at

Release Conditions: ☐ Attend self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.

Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.

Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a

warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of

PC1000. ☐ Have no contact with / stay away from: ☐ Protective Order issued.

Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ ☐ No Bail. ☐ Counsel reports no contact with defendant.

Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ ISSUED ON:

HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON:

Affidavit requested. Due by:

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.

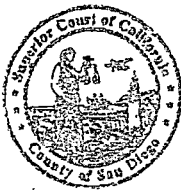
Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ within 30 days ☐ cost waived

Bond #: Bond \$ Bond Co.

Date: ATTEST A TRUE COPY, Clerk of the Superior Court by Deputy

Distribution by: on to: Jail Dept. Pros. Prob. R&R Interpreter Acct. SAAU Other:

SDSC CRM-150 (Rev. 10/19) MISDEMEANOR/FELONY - PRE-DISPOSITION MINUTES



CLERK'S CERTIFICATE

The foregoing document, consisting of
1 page(s) is a full, true, and exact
copy of the original ☒ copy on file in
this office.

Clerk of the Superior Court

11-9-20
Date

by [Signature]
Deputy